

ITEM NO.19

COURT NO.13

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 42267/2025

[Arising out of impugned final judgment and order dated 11-12-2024 in CWP No. 15460/2024 passed by the High Court of Punjab & Haryana at Chandigarh]

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

SATWINDER SINGH

Respondent(s)

IA No. 215946/2025 - CONDONATION OF DELAY IN FILING

Date : 11-09-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mrs. Aishwarya Bhati Ld, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Ms. Shivika Mehra, Adv.
Ms. Chitrangda Rashtravara, Adv.
Ms. Satya Jha, Adv.
Ms. Astha Singh, Adv.
Mr. Kamal Digpaul, Adv.
Mr Garge Boss, Adv.
Ms Hemadri Sharma, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. The submission of the learned Counsel is that there existed material on record in the form of medical board opinion that two disabilities, namely, Non-Compressive Myelopathy and Primary

Hypertension, were neither attributable to nor aggravated by military service. As far as the third disability, namely, Hypothyroidism, is concerned, it was below 10 per cent and, therefore, it does not make the respondent eligible for disability entitlement. It has also been submitted that even in the earlier decisions of this Court in *Dharambir Singh* and *Rajbir*, the presumption that disability was attributable to or aggravated by military service was rebuttable and, therefore, when the report of the medical board was there on record, this presumption stood rebutted and, in such circumstances, both the Tribunal as well as the High Court fell in error in awarding the disability entitlement.

3. The matter requires consideration.

4. Issue notice, returnable in six weeks.

5. In the meantime, the effect and operation of the order impugned shall remain stayed.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)